



**Belfast City Council**

<b>Report to:</b>	Strategic Policy and Resources Committee
<b>Subject:</b>	<b>Connswater Community Greenway: Estates Update</b>
<b>Date:</b>	12th December 2014
<b>Reporting Officer:</b>	Gerry Millar - Director of Property & Projects
<b>Contact Officer:</b>	Celine Dunlop—Estates Surveyor Ext: 3419

<b>1</b>	<b>Relevant Background Information</b>
1.1	Belfast City Council, as part of the City Investment Strategy, has agreed to co-ordinate the acquisition of lands to enable the Connswater Community Greenway (CCG) Programme to proceed. The Council will secure rights over the land needed for the Greenway and shall be responsible for the management and maintenance of this land and any assets on the land. The Greenway must be accessible for 40 years to comply with the Big Lottery Fund letter of offer, although the intention is to secure rights for longer if possible.
1.2	Phase one of the CCG has been completed and Farrans have been appointed to construct the final phase with work commencing on site mid January 2015. Completion of the contract is scheduled for June 2016.
1.3	Farrans have a requirement for a site compound close to the Hollywood Arches and Council officials have identified the area shown outlined red on the plan attached at Appendix '1' as being suitable and available for use by Farrans for the duration of the contract.
1.4	The Council will require an easement from the Crown Estate to allow the construction of a boardwalk as part of the Connswater Community Greenway (CCG) over the Connswater River at Connswater Retail Park at the location shown outlined red on the plan attached at Appendix '2'.
1.5	As part of the CCG scheme the Council would propose to take a lease from the Crown Estate for an area of land which will be created following completion of the East Belfast Flood Alleviation at the Newtownards Road bridge as shown shaded blue on the plan attached at Appendix '3'.

<b>2</b>	<b>Key Issues</b>
2.1	The Parks and Leisure Committee at its meeting on the 11 <sup>th</sup> December 2014 considered the grant of a licence to Farrans for the duration of the EBFAS/CCG contract on terms and conditions to be agreed with the Estates Management Unit and Legal Services subject to approval by the SP&R Committee. The Director of Property & Projects will provide an update to the Committee on the decision of the Parks & Leisure Committee.
2.2	There are constraints at the area outlined red on the plan attached at Appendix '2'; there is insufficient land area to construct the footpath/cycleway so a boardwalk will need to be constructed over part of the Connswater River at this location. The Crown Estate who own the bed of the river at Connswater Retail Park have agreed to grant the Council an easement to construct and maintain a boardwalk on the area shown outlined red on the plan attached at Appendix '2' for a premium of £250.
2.3	In addition, as part of the flood alleviation measures, Rivers Agency will narrow the channel of the river as it flows under the Newtownards Road bridge creating an area of land on either side of the channel as shown shaded blue on the plan attached at Appendix'3'. The Council would propose to maintain these areas of land as part of the Connswater Community Greenway and the Crown Estate have agreed to grant the Council a lease for 150 years for a one off premium of £1750. Rivers Agency have agreed with Council officials to reimburse the Council the £1750 premium and associated fees as this land is to be created solely as part of the flood alleviation works. It is appropriate, however, that the Council takes the land by way of lease in order to manage it as part of the CCG in the longer term.

<b>3</b>	<b>Resource Implications</b>
3.1	<u>Finance</u>
3.1.1	Farrans will pay £60.00 pa as a licence fee for the site compound.
3.1.2	The proposal to acquire an easement from the Crown Estate requires expenditure of £250 plus reasonable legal and surveyors fees.
3.1.3	The proposal to acquire a 150 year lease from the Crown Estate for the land to be created at the Newtownards Road bridge will require expenditure of £1750 plus reasonable legal and surveyors fees; such costs to be reimbursed by Rivers Agency as part of the EBFAS/CCG scheme.
3.2	<u>Assets</u>
3.2.1	The land let to Farrans will remain in the ownership of the Council and will be fully reinstated and resurfaced by Farrans before being handed back to the Council on completion of the EBFAS/CCG contract.
3.2.2	The boardwalk and the land at the Newtownards Road will form part of the CCG which when complete will be managed and maintained by the Council.
3.3	<u>Human Resources</u>

	Officers from Estates and Legal Services will subject to Members approval complete the licence to Farrans and the easement and the lease from the Crown Estate.
--	---

<b>4</b>	<b>Equality and Good Relations Considerations</b>
4.1	The EBFAS/CCG will have a positive impact in terms of equality of opportunity and good relations.

<b>5</b>	<b>Recommendations</b>
5.1	<p>It is recommended that the Committee grant approval for the Council to:</p> <ul style="list-style-type: none"> <li>(i) Grant Farrans a licence to use the area of land outlined red on the plan attached at Appendix '1' for the duration of the EBFAS/CCG.</li> <li>(ii) Acquire an easement from the Crown Estate over the land outlined red on the plan attached at Appendix '2' for £250 plus reasonable legal and surveyors fees.</li> <li>(iii) Acquire by way of 150 year lease the land shown shaded blue on the plan attached at Appendix '3' for £1750 plus reasonable legal and surveyors fees subject to such costs being reimbursed by Rivers Agency as part of the EBFAS/CCG scheme.</li> </ul>

<b>6</b>	<b>Decision Tracking</b>
6.1	The Director of Property and Projects to ensure completion of the licence, easement and lease if approved by Members.

<b>7</b>	<b>Key to Abbreviations</b>
7.1	CCG Connswater Community Greenway EBFAS/CCG East Belfast Flood Alleviation/Connswater Community Greenway

<b>8</b>	<b>Documents Attached</b>
8.1	Plan at Appendix '1' Plan at Appendix '2' Plan at Appendix '3'